

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

THIS DOCUMENT RELATES TO ALL
CLASS ACTIONS
01-CV-12257-PBS AND 01-CV-339

)
) MDL No. 1456
)

) CIVIL ACTION: 01-CV-12257-PBS
)

) Judge Patti B. Saris
)

) Chief Magistrate Judge Marianne B. Bowler
)


NOTICE OF FILING UNDER SEAL

To: All Counsel of Record

Please take notice that on September 3, 2004, we caused to be filed with the Clerk of the District of Massachusetts under seal the following:

1. Plaintiffs' Memorandum in Support of Class Certification;
2. Declaration of Steve W. Berman In Support of Plaintiffs' Motion for Class Certification;
3. Declaration of Raymond S. Hartman in Support of Plaintiffs Motion for Certification of Class; and
4. Declaration of Steven Schondelmeyer;
5. Affidavit of Arthur Steinberg, Lead Coordinator of Philadelphia Federation of Teachers Health and Welfare Fund.

DATED: September 3, 2004

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CERTIFICATE OF SERVICE

I hereby certify that I, Steve W. Berman, an attorney, caused a true and correct copy of the foregoing **NOTICE OF FILING UNDER SEAL** to be delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on September 3, 2004, a copy to Verilaw Technologies for Posting and notification to all parties

By 

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